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5 IN THE UNITED STATES DISTRICT COURT
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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8 THE HOUSEHOLDER GROUP, LLLP

No. C 07-0573 SI

9 Plaintiff,

**ORDER DENYING DEFENDANT'S
MOTION TO COMPEL ARBITRATION**

10 v.

11 RANDY S. FUSS,

12 Defendant.
13 _____/

14 On March 29, 2007, defendant filed a reply brief stating that he wishes to withdraw the pending
15 motion to compel arbitration because defendant has confirmed that plaintiff is not a member of the
16 National Association of Securities Dealers. In light of defendant's March 29, 2007 filing, the Court
17 DENIES defendant's motion to compel arbitration. (Docket No. 4). The April 6, 2007 hearing is
18 VACATED.

19 Defendant also requests 20 days to file a response to the complaint. Plaintiff opposes the
20 request, arguing that defendant has had ample time to prepare a responsive pleading, and asserting that
21 if defendant's request is granted, it will likely require modification of the April 13, 2007 deadline to
22 meet and confer over initial disclosures, discovery, ADR, and settlement. The Court agrees with
23 plaintiff that defendant has not demonstrated good cause for the request; indeed, defendant does not
24 articulate any reason why he needs an additional 20 days to prepare a response. Accordingly, defendant
25 must file and serve a response to the complaint no later than **April 9, 2007**.

26 **IT IS SO ORDERED.**

27 Dated: April 3, 2007



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SUSAN ILLSTON
United States District Judge

United States District Court
For the Northern District of California

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